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By: **Delegate James (Chairman, Joint Committee on Pensions)**

Introduced and read first time: February 4, 2004

Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Disability Retirement Benefits - Reduction for Workers' Compensation**  
3                                   **Benefits - Occupational Diseases**

4 FOR the purpose of repealing the requirement that the Board of Trustees for the  
5 State Retirement and Pension System reduce a disability retirement benefit by  
6 any related workers' compensation benefits, if the disability retirement benefit  
7 is received for an occupational disease; and generally relating to the reduction of  
8 a disability retirement benefit by a related workers' compensation award.

9 BY repealing and reenacting, with amendments,  
10 Article - State Personnel and Pensions  
11 Section 29-118(b)  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 2003 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16                                   **Article - State Personnel and Pensions**

17 29-118.

18 (b) (1) The Board of Trustees shall reduce a disability retirement benefit by  
19 any related workers' compensation benefits paid or payable after the effective date of  
20 retirement if the workers' compensation benefits:

21                                   (i) are paid or payable while a pension is paid or payable; and

22                                   (ii) are for an accidental personal injury [or occupational disease]  
23 arising out of and in the course of the retiree's employment by a participating  
24 employer.

25 (2) A retirement allowance may not be reduced:

26                                   (i) to be less than the sum of the retiree's annuity and the amount  
27 authorized to be deducted for health insurance premiums; or

1                           (ii)       for workers' compensation benefits that are reimbursements for  
2 legal fees, medical expenses, or other payments made to third parties and not to the  
3 retiree.

4       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
5 effect July 1, 2004.